REMARKS

Status Summary

In this Amendment, no claims are added, and no claims are canceled. Therefore, upon entry of this Amendment, claims 1-46 will remain pending.

Telephone Examiner Interviews

In the Telephone Examiner Interview on November 1, 2004, it was agreed that the Affidavit under Rule 1.31 was sufficient to overcome the rejection of the claims over previously cited references Lewis and Elliott. It was also agreed that the finality of the previous Official Action was to be withdrawn. Applicant received a non-final Official Action dated November 30, 2004, indicating the finality of the Official Action dated October 20, 2004, had been withdrawn and the Declaration and Rule 131 had been considered.

In the Telephone Examiner Interview on February 25, 2005, Applicant's representative discussed the claim amendments and the present rejection of the claims based on Tyler and Ainsbury. In the Interview, Applicant's representative explained that each of the independent claims now recite combining scores from a plurality of different financial formulas and using the combination of scores to select narrative text for a financial analysis report. Using a combination of scores generated from different financial formulas allows more meaningful data to be included in the financial analysis report than a system, such as Tyler, where formulas are mutually exclusively associated with stored text. As it is explained in detail below, according to Tyler, only the formula that evaluates to true selects narrative text. For example, Tyler discloses that for the

current ratio example in columns 5 and 6, if the current ratio rises, a sentence will be displayed that indicates that the current ratio has risen. If the current ratio falls, a sentence will be displayed that indicates that the current ratio has fallen. Such mutually exclusive association between formulas and text is considerably less valuable from an information standpoint in evaluating a company's performance.

The mutually exclusive association between an individual formula and stored text in Tyler can be contrasted with the language of each of the independent claims and with the table on page 37 of the present application where a combination of scores for different financial formulas for sales selects text that indicates that sales may have gone up in area because more people have been hired. Accordingly, because Tyler fails to teach the invention as claimed, it is respectfully submitted that the rejection of the claims as anticipated by Tyler should be withdrawn.

With regard to the rejection of the claims based on Tyler and Ainsbury, Ainsbury fails to teach the elements of the claims missing from Tyler. For example, there is absolutely no teaching or suggestion in Ainsbury of combining scores generated from different financial formulas and using the combination to select narrative text. Ainsbury is directed to a data storage and retrieval system and nowhere discloses automatic generation of a narrative financial report. Accordingly, the rejection of the claims as unpatentable over Tyler in view of Ainsbury should be withdrawn.

The remaining remarks below are consistent with the remarks in the draft response faxed to the Patent Examiner on February 24, 2005, in preparation for the Telephone Examiner Interview.

Claim Rejections 35 U.S.C. § 102

Claims 1, 2, 5-7, 15, 16, 19-21, 24, 25, 28-30, 38, 39, and 42-45 were rejected as anticipated by U.S. Patent No. 4,922,939 to Tyler (hereinafter, "Tyler"). This rejection is respectfully traversed.

Independent claims 1, 15, and 24 have each been amended to recite a method for generating the financial analysis report that includes calculating a plurality of financial values using a plurality of different financial formulas, comparing at least two of the financial values with other financial values, assigning a score to each of the two financial values, combining the scores to produce a combination of the two or more scores, and selecting stored text to be included in the financial report corresponding to the combination of scores. The stored text corresponds to a combination of scores, rather than a single score. Combining scores corresponding to different financial analysis formulas and providing stored text that corresponds to a combination of scores produces a more meaningful narrative financial analysis report than implementations, such as that disclosed in Tyler, where stored text corresponds exclusively to a single financial value.

Support in the specification for combining scores from a plurality of scores calculated from different financial formulas and selecting stored text based on combinations of two or more scores is found, for example, on pages 35 and 36 of the present specification. For example, the specification states:

> The illustrated combination of assigned scores for "liquidity" is defined as the alphanumeric string "L-01s-02r-03g-04r-06r-07f-10f". (See page 35, lines 5-7 of the present specification.)

The specification explains the combination as follows:

> The lowercase letters in the respective combinations of assigned scores identify scores assigned to the various formula values in the respective sets of formulas. One or more portions of text associated with each combination (alphanumeric string) as assigned scores are retrieved from a database 16 (Figure 1) and used to build a financial analysis report as illustrated in Figures 4A-4J. (Emphasis added.) (See page 36, lines 7-19 of the present specification.)

From the passages above, scores are computed based on financial values calculated from different formulas, the scores are combined, and the combinations are used to select narrative text to be included in a financial report. Independent claims 1, 15, and 24 have been amended to reflect calculating financial values using different formulas, combining two or more scores, and selecting portions of narrative text based on the combinations of two or more scores.

There is absolutely no disclosure, teaching, or suggestion in Tyler of combining two or more scores computed for financial values calculated from different formulas or of selecting stored text to be included in a financial analysis report based on combinations of two or more scores. Rather than teaching selecting stored text based on combinations of two or more scores, Tyler teaches that mutually exclusive formulas are used to select each portion of text. For example, Tyler states:

> The method used to produce the narrative analytical reports involves first supplying a predetermined set of written phrases/sentences which describe virtually every possible conclusion covering a key analytical topic (attribute of the database). These phrases/sentences are embedded in mutually exclusive mathematical formulas designed to test specific attributes of the particular database. Accordingly, when tested by the program, only the true (and therefore appropriate) phrase/sentence will be displayed. (Emphasis added.) (See column 2, line 65 through column 3, line 6 of Tyler).

From this passage, Tyler discloses that there is a fixed association between each individual mutually exclusive formula and each individual sentence of stored text. There is absolutely no disclosure of combining scores or of using combinations of formulas or scores to select narrative text. In the example illustrated in column 6, at lines 10-14, Tyler illustrates that only the formula that evaluates to true i.e., formula 263, is used to select stored text. In the example, a dependent formula is used to calculate a value for the current ratio to be displayed with the selected narrative text. However, only the formula that evaluated to true, i.e., the primary formula, is used to select the narrative text.

Accordingly, because Tyler fails to disclose combining scores or using combinations of a plurality of scores to select stored text, the rejection of claims 1, 2, 5-7, 15, 16, 19-21, 24, 25, 28-30, 38, 39, and 42-45 as anticipated by Tyler should be withdrawn.

Claim Rejections 35 U.S.C. § 103

Claims 3, 4, 8-14, 17, 18, 22, 23, 26, 27, 31-37, 40, 41, and 46 were rejected as unpatentable over Tyler in view of U.S. Patent No. 6,078,924 to Ainsbury et al. (hereinafter, "Ainsbury"). This rejection is respectfully traversed.

Each of the independent claims have been amended to recite methods, systems, or computer program products that include calculating a set including a plurality of financial values calculated from different financial formulas, comparing the financial values with two or more financial values associated with the same or another entity, assigning a score to each of the two or more financial values, combining the scores to

produce a combination of the two or more scores, and selecting text to be included in a narrative financial analysis report based on the combination of scores. As stated above, Tyler fails to disclose, teach, or suggest combining scores or selecting stored text to be included in a narrative financial analysis report based on a combination of two or more scores. Rather, Tyler is directed to using mutually exclusive formulas to select individual text strings. There is a fixed association between each formula and each text string. (See column 2, line 65 through column 3, line 2 of Tyler quoted above.) Only the primary formula that evaluates to true is used to select the text string. Accordingly, Tyler fails to teach or suggest the invention claimed in any of the independent claims.

Ainsbury likewise lacks such teaching or suggestion. Ainsbury is directed to a platform that collects information from different sources, categories and stores the data, and allows users to view the data (See Abstract of Ainsbury). There is absolutely no teaching or suggestion in Ainsbury of generating a narrative financial analysis report, not to mention generating such a report by extracting stored text using a combination of two or more financial analysis scores. Accordingly, it is respectfully submitted that the rejection of claims 3, 4, 8-14, 17, 18, 22, 23, 26, 27, 31-37, 40, 41, and 46 has unpatentable over Tyler in view of Ainsbury should be withdrawn.

CONCLUSION

In light of the above remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and such action is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

Although no fee is believed to be due, the Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. **50-0426**.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: February 25, 2005 By: _____

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1521/3 GAH/cht/sed

Enclosure